

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

|                           |   |                               |
|---------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA, | ) |                               |
|                           | ) |                               |
| Plaintiff,                | ) |                               |
|                           | ) |                               |
| v.                        | ) | Case No. 21-00167-01-CR-W-DGK |
|                           | ) |                               |
| DAVID T. THOMPSON,        | ) |                               |
|                           | ) |                               |
| Defendant.                | ) |                               |

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

**PENDING CHARGE:** On June 24, 2021, the Grand Jury returned a seven-count Indictment charging Defendant David T. Thompson with five counts of distribution and possession with intent to distribute cocaine base (Counts One, Two, Four, Five, and Six), one count of possession of a firearm in furtherance of a drug trafficking crime (Count Three), and possession with intent to distribute 28 grams of cocaine base (Count Seven).

The following matters were discussed and action taken during the pretrial conference:

**TRIAL COUNSEL:**

Government: Byron H. Black  
Case Agent: Task Force Officer Frank Rorabaugh, DEA  
Defense: David Harold Johnson

**OUTSTANDING MOTIONS:** None

**TRIAL WITNESSES:**

Government: 20 with stipulations; 30 without stipulations  
Defendant: 4 witnesses, including the Defendant

**TRIAL EXHIBITS:**

Government: approximately 200 exhibits (mostly photographs)  
Defendant: approximately 0 exhibits

**DEFENSES:** General denial

**POSSIBLE DISPOSITION:**

( ) Definitely for trial; (X) Possibly for trial; ( ) Likely a plea will be worked out

**TRIAL TIME: 3 ½ days total**

Government's case including jury selection: 3 day(s)

Defendant: ½ day(s)

**STIPULATIONS:** No discussions at this time. Will discuss the usual stipulations (foundational stipulations, chain of custody, drug testing, interstate nexus, etc.)

**UNUSUAL QUESTIONS OF LAW:** None

**FILING DEADLINES:**

**Witness and Exhibit List**

Government: None filed. **Due on or before October 18, 2022.**

Defendant: None filed. **Due on or before October 18, 2022.**

**Counsel are requested to list witnesses in alphabetical order on their witness list.**

**Exhibit Index, if required by the District Court, Voir Dire, Jury Instructions: Due on or before October 26, 2022.**

**Please Note:** Jury instructions must comply with Local Rule 51.1

**Motion in Limine: Due on or before October 26, 2022.**

**TRIAL SETTING:** Criminal jury trial docket set for October 31, 2022.

**Please note:** No specific requests.

**IT IS SO ORDERED**

/s/ Lajuana M. Counts

LAJUANA M. COUNTS

UNITED STATES MAGISTRATE JUDGE